

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**AMY EVERETT and
TJELVAR EVERETT,**

Plaintiffs,

v.

File No. 1:17-CV-3392-TWT

**COBB COUNTY, GEORGIA;
OFFICER JAMES W. HOPKINS,
in his individual and official
capacities; and LANI MESHELLA
MILLER, in her individual
capacity;**

Defendants.

**DEFENDANT LANI MESHELLA MILLER'S ANSWER TO
PLAINTIFFS' FIRST AMENDED COMPLAINT**

COMES NOW, Defendant, Lani Meshella Miller, and files this her
Defenses and Answer to Plaintiffs' First Amended Complaint and shows the
Court as follows:

FIRST DEFENSE

The Plaintiff's Complaint fails to state a claim against this Defendant
upon which relief can be granted.

SECOND DEFENSE

The Plaintiff by the exercise of ordinary care, could have avoided the consequences of the negligence which is alleged against the Defendant, Defendant denying that she was guilty of any such negligence.

THIRD DEFENSE

The failure to specifically state items of special damages sought in this action bars their recovery in this action.

FOURTH DEFENSE

This Court lacks subject matter jurisdiction pursuant to Rule 12 (b)(1).

1.

In response to this paragraph of the Complaint, Defendant asserts all of her Answers and Defenses filed in her previous Answer (Doc. 6).

2.

The allegations contained in this paragraph of the Complaint are denied.

3.

In response to this paragraph of the Complaint, Defendant is without knowledge or information sufficient to form a belief as to the truthfulness of these allegations and, hence, Defendant denies the same and demands strict proof thereof by the named Plaintiffs.

4.

In response to this paragraph of the Complaint, Defendant is without knowledge or information sufficient to form a belief as to the truthfulness of these allegations and, hence, Defendant denies the same and demands strict proof thereof by the named Plaintiffs.

5.

In response to this paragraph of the Complaint, Defendant is without knowledge or information sufficient to form a belief as to the truthfulness of these allegations and, hence, Defendant denies the same and demands strict proof thereof by the named Plaintiffs.

6.

The allegations contained in this paragraph of the Complaint are denied.

Respectfully submitted this 22nd day of January, 2018.

Blevins & Hong, P.C.

/s/ Richard N. Blevins, Jr.
Richard N. Blevins, Jr., Esq.
Georgia State Bar No. 063361
Attorney for Defendant Miller

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(678) 354-2290

CERTIFICATE OF TYPE STYLE

This document was prepared using Times New Roman 14 Point font.

This 22nd day of January, 2018.

Blevins & Hong, P.C.

/s/ Richard N. Blevins, Jr.

Richard N. Blevins, Jr. Esq.

Georgia State Bar No. 063361

Attorney for Defendant Miller

191 Roswell Street
Marietta, GA 30060
(678)-354-2290

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel of record to this action with a copy of the foregoing **Defendant Lani Meshella Miller's Answer to Plaintiffs' First Amended Complaint** in the above-styled case by emailing a copy of the same through the court's e-mailing system:

Eddie Snelling, Jr., Esq.
Attorney for Defendant Cobb County and James Hopkins
Eddie.snelling@cobbcounty.org

John P. Batson, Esq.
Attorney for Plaintiffs
jpbatson@aol.com

This 22nd day of January, 2018.

/s/ Richard n. Blevins, Jr.
Richard N. Blevins, Jr.
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Attorney for Defendant Miller

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